

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

BOB AARON MIKELL

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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CV 609-065  
(Formerly CR 606-026-10)

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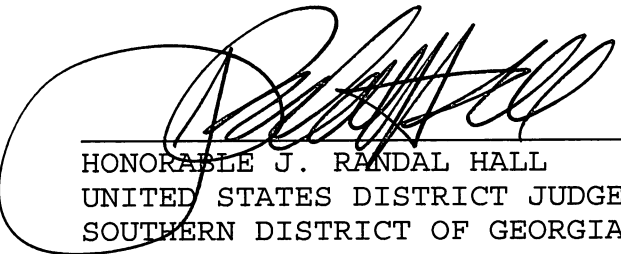
On March 3, 2011, this Court adopted the Report and Recommendation of the United States Magistrate Judge, which recommended dismissal of Petitioner Bob Aaron Mikell's habeas petition brought pursuant to 28 U.S.C. § 2255. Mikell filed a motion for reconsideration of this decision, which was denied, and he filed a notice of appeal. On September 13, 2011, the Eleventh Circuit denied Mikell's motions for a certificate of appealability and to proceed in forma pauperis on appeal.

Over the course of the next four years, Mikell filed several post-judgment motions and appealed the denials of these motions; each time this Court and the Eleventh Circuit denied his motions for certificates of appealability and to proceed in forma pauperis on appeal. Most recently, on May 2,

2016, Mikell filed a motion for relief from the original Report and Recommendation of 2011. The motion was denied on May 19, 2016. Mikell has filed a notice of appeal from this decision. He simultaneously filed a motion for a certificate of appealability and has now also filed a motion to proceed in forma pauperis on appeal.

The Court will not tarry long on Mikell's latest attempt to relitigate issues that were fairly and fully decided in 2011. Once again, Mikell has failed to make a substantial showing of the denial of a constitutional right; therefore, his motion for the issuance of a certificate of appealability (doc. 111) is **DENIED**. See 28 U.S.C. § 2253(c)(1)(B). Consequently, his motion to proceed in forma pauperis (doc. 115) is **DENIED AS MOOT**.

**ORDER ENTERED** at Augusta, Georgia, this 25<sup>th</sup> day of August, 2016.



HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA